

Exhibit 1



April 12, 2024

Julia Long
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By Email

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Re: Johnson & Johnson Health Care Systems, Inc. v. Save On SP, LLC,
Case No. 2:22-cv-02632 (JKS) (CLW)

Dear Hannah:

Thank you for your April 8, 2024 letter regarding the search terms the parties discussed at the April 3, 2024 conference before Judge Wolfson.

I. Search Terms for JJHCS Custodians

While SaveOnSP agrees that JJHCS should run JJHCS's proposed search term¹ over the custodial files of Blasine Penkowski, SaveOnSP at the same time "do[es] not agree that this term is sufficient to search Penkowski's files for documents related to the working group that she convened" and reserve the right to "request that [JJHCS] run additional search terms." Apr. 8, 2024 Ltr. from H. Miles to J. Long at 1. This is unproductive. Judge Wolfson directed the parties to meet and confer—and to agree—on proposed search terms related to Ms. Penkowski's documents. See Apr. 10, 2024 Discovery Order at 4. In the interest of resolving this dispute, JJHCS agrees to run its proposed search term over Ms. Penkowski's custodial files and to prioritize the production of non-privileged, responsive documents hitting on that term.² JJHCS does not agree to leave open the door for further search terms on this topic, a tactic frequently employed by SaveOnSP which seeks to avoid any binding judicial decision on the subject of discovery.

¹ JJHCS's proposed term is: ((brand* OR finance* OR SCG OR (strategic w/5 customer)) w/25 ("working group" OR guidance OR respond* OR respons*) AND (accumulat* OR maximiz*).

² At present, JJHCS anticipates producing non-privileged, responsive documents hitting on this term on or about May 10, 2024.

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As for the TrialCard Statement of Work search term,³ consistent with Judge Wolfson's Order, JJHCS agrees to run this term over Scott White and Blasine Penkowski documents.

On terms and conditions, you demand that we run the following term over the files of Kimberly Wortman and Kathi Chapman:

- (~~[Name of Predecessor Program]~~ OR CarePath OR ~~Janssen OR Janssen OR Jansen OR~~ "Savings Program" OR "Rebate Program" OR "Access Program" OR "copay assistance" OR Darzalex OR Imbruvica OR Opsumit OR Remicade OR Simponi OR Stelara OR Tracleer OR Uptravi OR Ventavis OR Zytiga) ~~AND~~ w/50 ((term* w/3 condition) OR "T&C" or "TNC" OR "other offer" OR "coupon*" OR "discount*" OR "prescription savings card*" OR "free trial")

Consistent with Judge Wolfson's Order, we have investigated the names of the predecessor copay assistance programs and agree to run the following search strings, which therefore resolves the dispute:

- ("Invokana CarePath" OR "Xarelto CarePath" OR ((Olysio OR "Risperdal Consta" OR Invega w/3 ("Instant Savings Card"))) OR "YOU&i" OR RemiStart OR AccessOne OR (Stelara w/2 support) OR "SimponiOne" OR "SylvantOne" OR "ZytigaOne") w/50 ((term* w/3 condition) OR "T&C" or "TNC" OR "other offer" OR "coupon*" OR "discount*" OR "prescription savings card*" OR "free trial")
- (Invokana OR Xarelto OR Olysio OR Risperdal OR Invega OR Imbruvica OR Remicade OR Stelara OR Simponi OR Sylvant OR Zytiga) AND (CarePath OR "Savings Program" OR "Rebate Program" OR "Access Program" OR "copay assistance") w/50 ((term* w/3 condition) OR "T&C" or "TNC" OR "other offer" OR "coupon*" OR "discount*" OR "prescription savings card*" OR "free trial")

II. Search Terms for RFP Nos. 99, 102, and 103

As you know, Judge Wolfson granted JJHCS's motion to compel production of documents in response to RFP Nos. 99, 102, and 103. Please confirm by April 19 that SaveOnSP

³ For the avoidance of doubt, JJHCS will run the following term, which has been amended to include SaveOnSP's belated disclosure of Edurant, Intelence, and Ponvory: ("TrialCard" OR "Trial Card" OR TC) AND ((statement* /5 work) OR "SOW*" OR contract*) AND (CarePath OR (care w/2 path) OR Carpath OR Carepth OR CP OR JCP OR "Savings Program" OR "WithMe" OR (with w/2 me)) AND (BALVERSA OR DARZALEX OR ERLEADA OR IMBRUVICA OR OPSUMIT OR PREZCOBIX OR REMICADE OR RYBREVANT OR SIMPONI OR STELARAOR OR SYMTUZA OR TRACLEER OR TREMFYA OR UPTRAVI OR VENTAVIS OR ZYTIGA OR EDURANT OR INTELENCE OR PONVORY).

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will run the following search terms and prioritize the production of documents responsive to these requests by May 10, 2024:

- (High Deductible Health Plan OR HDHP) w/30 (copay* OR co-pay* OR OOP OR MOOP OR “out-of-pocket” OR “out of pocket” OR deductible* OR co-ins* or coins* OR “patient cost*” OR “cost share” OR “patient obligation*” OR “financial obligation*” OR “final cost”)
- (increase* OR raise* or infla*) w/30 (copay* OR co-pay* OR OOP OR MOOP OR “out-of-pocket” OR “out of pocket” OR deductible* OR co-ins* or coins* OR “patient cost*” OR “cost share” OR “patient obligation*” OR “financial obligation*” OR “final cost”)
- (reduc* OR lower* OR “as low as” OR decreas* OR zero OR “no cost” OR “free of charge” OR “\$0”) w/20 (copay* OR co-pay* OR OOP OR “out-of-pocket” OR “out of pocket” OR “patient cost*” OR “final cost”)
- “Adapt” w/50 (“High Deductible Health Plan” OR HDHP OR HSA OR “Health Savings Account” OR copay* OR co-pay* OR OOP OR MOOP OR “out-of-pocket” OR “out of pocket” OR deductible* OR DED OR co-ins* OR coins* OR “patient cost*” OR “cost share” OR “patient obligation*” OR “financial obligation*” OR “final cost”)⁴

Very truly yours,

/s/ Julia Long

Julia Long

⁴ See Apr. 10, 2024 Discovery Order at 6 (Judge Wolfson finding that documents regarding “the change in Defendant’s communications and policy regarding high deductible copay insurance, or *the so-called Adapt program*,” are relevant (emphasis supplied)).